

ANNUAL REPORT
OF THE
PROBATE CODE STUDY COMMISSION



Indiana Legislative Services Agency
200 W. Washington Street, Suite 301
Indianapolis, Indiana 46204

October, 2013

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2013

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PROBATE CODE STUDY COMMISSION

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Attorney for the Commission**

**Mark Goodpaster
Fiscal Analyst for the Commission**

A copy of this report is available on the Internet. Reports, minutes, and notices are organized by committee. This report and other documents for this Committee can be accessed from the General Assembly Homepage at <http://www.in.gov/legislative/>.

I. STATUTORY DIRECTIVE

The Indiana General Assembly enacted legislation directing the Commission to study and recommend to the General Assembly needed changes in the following:

- (1) The probate code (IC 29-1).
- (2) The trust code (IC 30-4).
- (3) Other statutes affecting the administration of a decedent's estate, guardianships, probate jurisdiction, trusts, or fiduciaries.

II. SUMMARY OF WORK PROGRAM

The Commission met three times during the 2013 interim session on the following dates:

- (1) September 17 to receive the 2013 legislative proposals of the Probate, Trust, and Real Property Section of the Indiana State Bar Association.
- (2) October 8 to discuss preliminary drafts (PDs) containing the proposals received on September 17, and to hear a presentation of the Indiana Department of State Revenue concerning the implementation of the repeal of Indiana's death taxes.
- (3) October 29 to consider recommending PDs containing the proposals heard at the previous meetings.

III. COMMISSION RECOMMENDATIONS

The Commission recommended the following PDs:

- PD 3377 (Probate, trust, and transfer on death matters)
- PD 3206 (Small estate affidavit)
- PD 3355 (Penalties for failure to comply with fiduciary instruction)

The Commission is not required to file a final report.

Meeting minutes for the Commission can be accessed from the General Assembly Homepage at <http://www.in.gov/legislative/>.